Hawaiian

5-9

Annexation

AND

(Texas Admitted—not "Annexed") **San Domingo.**

LIKE REASONS OFFERED FOR BOTH.

We Hold the Sack—Hawaii will get the Chestnuts.

Eaton, Annexation Pamphlets
"

JUNIUS.

1897?

Hawaiian "Annexation"

AND THE

San Domingo Scheme.

These two proposed "annexation" schemes—although over a quarter of a century apart in point of time, present striking characteristics. Almost the identical arguments used to force the annexation of Dominica through Congress are now advanced by the Hawaiian "Sugar Trust" in the case of Hawaii.

A cursory glance at the *rejection* of the San Domingo treaty possesses unusual interest just now. A treaty to "annex" Dominica had failed in the Senate in 1869, but President Grant held to his views tenaciously, as he was wont to do on all occasions, and he urged the Dominica scheme with a great deal of force and energy in 1870, putting the desirability of its annexation on the very grounds which the Hawaiian 'Sugar Trust' now advances to support its job; to wit—"that the best interests of this country, commercially and "materially demanded its ratification; * * * that the "government of San Domingo had *voluntarily* sought annex-"ation; that it was a weak power, numbering probably less "than 120,000 (Hawaii has only 109,000) and yet possessing "one of the richest territories under the sun; * * * that "the people were not capable of maintaining themselves in "their (then) present condition and must look for outside "support; that they yearned for the protection of our free "institutions and laws; that its acquisition was desirable "because of its geographical position, commanding the en-"trance to the Caribbean Sea and the (Nicaragua) isthmus "transit of commerce; * * * that in case of foreign war "it would give us command of all the islands referred to, and "thus prevent an enemy from ever again possessing himself "of a rendezvous on our coast; * * * that San Domingo "would become a large consumer of our products," and finally that "its acquisition was a measure *of national protection.*"

There were several points in favor of the annexation of San Domingo, not possessed by the Hawaiian scheme, and espe-

cially that it lay *so near* our coast that *no material addition to our navy would be necessary.* Besides it lay *in the track* of all our commerce going South ; its area was 28,000 square miles —equal to Massachusetts, New Hampshire, Vermont and Rhode Island, as against an area of only 6,640 miles in the entire Hawaiian group, volcanoes, lava beds and all! The population of the two about the same, 120,000, as against 109,000 in Hawaii. To read the reasons presented in favor of San Domingo annexation and those *now* presented to force the Hawaiian treaty through, one would think the crafty "sugar trust" in Honolulu had stolen the San Domingo ideas and reasons *bodily*, and put them forth *as original!*

After the San Domingo treaty had been rejected, and on the 9th of December, 1870 (41st Congress, 3d session), Senator O. P. Morton, of Indiana, offered a joint resolution that was debated, amended in the House and finally adopted (pp. 183, 191 and 67), for the appointment of three commissioners by the President to proceed to San Domingo to inquire, ascertain and report—

1. The political state and condition of the Republic of Dominica.

2. The *desire* and disposition of *the people* of the said Republic to become annexed to the United States.

3. The physical, mental and moral condition of *the people*, their general condition as to material wealth and industrial capacity.

4. The resources of the country, its agricultural and mineral products, its waters, forests, soil and extent thereof for cultivation, climate and health, bays, rivers and harbors.

5. Its debt and obligations, funded and unfunded, admitted and in dispute.

6. Its treaties with foreign powers.

7. Extent of its grants and concessions of every kind (see Cong. Globe, 41st, 3d, p. 53.) The debate called out the David Hatch–Babcock Senate Report No. 234 (41st, 2d), in which Gen. Babcock seems to have been *acquittted* of interference in San Domingo affairs by vote in Special Committee of 4 to 3. The resolution passed December 21. Mr. Sherman did not vote for the annexation of Dominica (p. 194). Thurman spoke against the power to *admit* foreign territory as a territory ; claiming that it must come in as a *state* if a joint resolution was resorted to (pp. 193, 250). That he said was the ground on which the Texas joint resolution went (see also remarks of Mr. Davis, p. 195). Mr. Morrill and Mr. Edmunds also opposed the annexation of Dominica (p. 197).

The House amended the resolution by attaching a proviso

to the effect that nothing in it should be construed to commit Congress to "annexation." The Commission made a report, and in transmitting it to Congress President Grant, among other things, said— * * * "My task is finished, and with it "ends all personal solicitude on the subject. My duty being "done, yours begins, and *I gladly hand over* the whole matter "*to the American people.*" * * *

Neither the Senate, the House, nor the American people would accept the "scheme," and it fell by the wayside; and yet, compared with the Hawaiian job of annexing islands 2,100 miles away, of far less extent and value, and for commercial defense, *it was far preferable*—on all the grounds presented, than is the "annexation" of Hawaii.

There were several features surrounding the San Domingo project which have a bearing upon Hawaiian annexation. The recognized ruler of San Domingo, Baez, was—it was alleged, being *maintained in power by our naval forces.* (Cong. Globe, 41st, 3d, pp. 228–387.) The Hawaiian oligarchy *could not have existed until now* without an annexation treaty pending and the moral force which our warships have given it in Honolulu! Baez was confronted by Cabral just as the oligarchy is confronted by the people. The trouble in San Domingo was, and in Hawaii is, *internal*, not external; *the people* against the oligarchy.

Cabral was out of power, opposing Baez, just as the people are objecting to the oligarchy in Hawaii. Cabral had *the people* behind him, just as the queen or princess probably would have, if there was no interference, and this latter fact was made a prominent feature in the San Domingo discussion. Our war ships, the Yantic and Nantasket, had been in the harbor of San Domingo holding Baez in his seat by the moral force of their presence, just as our war ships at Honolulu have been holding the Hawaiian oligarchy in power. When that oligarchy began to see ghosts and tremble, the pending "annexation" treaty was hurriedly signed—as a diplomatic stratagem, because so long as it is pending the law of nations probably is that the status quo must be preserved! This whole Hawaiian "scheme" is replete with tricks and newspaper solvents.

One of the "stock" arguments used to annex San Domingo was, that if the United States did not annex that Island, *some other government would;* precisely the same old wormy chestnut that is being roasted for the American people by the Hawaiian "sugar trust." (See Cong. Globe, 41st, 3d, pp. 6–265.)

There was a *very important* provision or article in the pro-

posed San Domingo annexation treaty which is *not found* in the Hawaiian treaty. Article 4 of the Dominican treaty provided that—"*The people* of the Dominican republic shall, "in the shortest possible time, express in a manner conform- "able to their laws, *their will* concerning the cession herein "provided for; and the United States, *until such expression* "*shall be had*, shall protect the Dominican republic against "*foreign interposition* in order that the *national expression shall* "*be free.*" (Appendix, Cong. Globe, 42d, 1st, p. 43.) And that was also true in the case of Texas. (5 Stat. at Large, 797.)

The explanation made of the presence of our war ships in the harbor of San Domingo was, that they were there to see that there was a fair expression *or vote of the people* on the question of "annexation." In this essential and important aspect the two cases are *radically different.* There is no purpose to submit "annexation" to a vote of the people in Hawaii, but there should be, provided there is serious intent to force this job through.

On former occasions there never was a proposition on the part of the United States to accept a cession of the Hawaiian Islands without *the consent of the people* interested. When, in 1854, a cession was contemplated, Secretary Marcy said—

"I understand that the measure proposed by *the people*, and "that in which the present rulers are disposed to concur, is "'annexation,' as distinguished from protection'"

(See House Ex. Doc. 1, Part 1, p. 122; 53d Cong., 3d.)

Mr. Seward, in 1867—in referring to Hawaiian reciprocity and "annexation," refers to the supposed wish of *the people.* (See same Doc., p. 143.)

And ex-President Johnson, in alluding to the same subject in 1868, was evidently looking for *the voice of the people* in Hawaii; their voluntary application, and not the desire of a mere oligarchy. (See same Doc., p. 146.)

In the case of California, Brig. Gen'l Riley as Provisional Governor called a convention to meet at Monterey September 1, 1849, to frame a constitution. *All free citizens* 21 years of age actual residents, *also all Mexican residents who had chosen to remain*, and all who had rendered assistance in our war with Mexico were allowed to vote. There was no *test* oath.

The organic law of the Territory of Oregon as reformed July 26, 1845, provided for a provisional government *under the joint occupancy* of both England and the United States, and was composed of the subjects of *both*, and the oath of office held the person taking it to a support of the organic laws, only so far as consistent with his duties as a subject of either

power. Men were not disfranchised or excluded by *test* oaths as in Hawaii.

The friends of the Hawaiian *treaty* frankly concede that it cannot command the requisite two-thirds vote in the Senate, which means of course that the Executive "scheme" has met with defeat, to lessen the effect of which it is said to be proposed to go through the farce of *talking* upon the treaty *behind closed doors* until such time as resort shall be made to the *unconstitutional* legislative subterfuge of a *joint resolution* to force this Hawaiian job through by a majority vote in either branch of Congress! This is doubtless humiliating, but defeat, even on that line, stares the advocates of this measure in the face. There is no ground on which it can be made a party measure and the objections to the scheme are so numerous and well grounded that an effort to coerce men would be exceedingly dangerous.

TEXAS ADMITTED—NOT "ANNEXED".

The *theory* seems to be that Texas furnishes a precedent for action under joint resolution. This is a mistake. In fact nothing could be further from the truth!

1. Texas was never "annexed."

2. She came in as a *State* and was not admitted as *Territory*. There was no "annexation" of Texas as contradistinguished from her *admission* into the Union as a *State*. So that Texas is no precedent whatever for a resort to a joint resolution! The proposition is stated by the New York *Sun* as follows—

"More than half a century ago Texas, which, as having "been an independent republic, forms the closest parallel to "Hawaii among all our annexations, was admitted to the "Union by joint resolution."

The *Sun* should have said—*Admitted* into the Union *as a State* by joint resolution.

The tenor of its remark is that because Texas was *admitted* into the Union by joint resolution as a *State*, that therefore Congress may "*annex*" foreign territory—as *territory*, by joint resolution! The Constitution provides that Congress may *admit* new *States*, but there is no provision whatever—outside *treaty*-making power for the *acquisition* (*i. e.*, annexation) of territory as *territory* by joint resolution. This distinction is not only obvious but contains the fundamental objection to the scheme which it is said is about to be adopted by the friends of the Hawaiian "Sugar Trust" in the Senate. The trouble with the "joint resolution" scheme is that so forcibly stated by Senator Thurman at the 3d session of the 41st Congress, when Dominica was under consideration. He said—

"You cannot by *joint resolution* annex San Domingo as a

"*territory;*" you must annex her as a *State* if you annex her by "*joint resolution.*" There is no clause in the Constitution that "provides for the *acquisition* of territory *by joint resolution*, "unless it be that Congress may *admit* new *States;* * * * "No one has ever pretended that we could, *by joint resolution*, "annex territory as a *territory* without admitting it as a "*State.*" (Cong. Globe, 3d, 41st, pp. 183, 193.)

No one will pretend that Senator Thurman was not a profound lawyer, nor given to inattention nor error where grave constitutional questions were involved. There is not only no precedent in all our history for "annexing" *territory* as territory by *joint resolution*, but our precedents are all the other way! Louisiana, Florida and Alaska were obtained under the *treaty*-making power and Texas was *admitted* as a *State*, not "annexed" by joint resolution, under express power given Congress to admit new States. The question of the power of Congress to "annex" *territory* by joint resolution was exhaustively discussed in the case of Texas, and we will state so much of the proceedings as will show just what was done.

Without going into the efforts made to obtain Texas beyond the 2d session of the 28th Congress, it will be sufficient to state that during that Congress and session and on December 11, 1844, Senator Benton offered a *bill* to provide for the annexation of Texas, which was then an independent republic. Mr. Benton's bill authorized the President to open negotiations with Mexico and Texas for the adjustment of boundaries and for the annexation of Texas on this basis, to wit:

1. Fixing its boundary.

2. *The people* of Texas by a legislative act or by any authentic act which shows *the will of the majority* to express *their assent* to annexation.

3. The *State* to be called Texas *to be admitted* into the Union as *a State.*

7. Other details of the annexation to be adjusted *by treaty.* (See Cong. Globe, p. 19; 2d, 28th.)

The next day Mr. Ingersoll, from Foreign Affairs in the *House*, reported a resolution providing that the annexation and *union* of Texas take effect—as had been settled upon April 12, 1843. The 8th Article attached to Mr. Ingersoll's resolution shows that what had been agreed to on the 12th of April, 1843, was *a treaty*, which our Senate had rejected. (See Cong. Globe, 1st, 28th, p. 662.)

During the 1st session of that (28th) Congress, President Tyler had said, in a message—"While I have regarded the

"annexation to be accomplished by *treaty*, as the most suit-
"able form in which it could be effected, should Congress
"deem it proper to resort to *any other* expedient *compatible*
"*with the Constitution*, and likely to accomplish the object, I
"stand prepared to yield my most prompt and active co-oper-
"ation." (Cong. Globe, 1st, 28th, pp. 662–3.).

In other words, the question involved was, Could the United States *acquire* foreign territory as territory except by treaty? In the case of Texas, it was finally decided that Congress—under expressed constitutional power, could reach the desired result by *admitting* her as *a State*, and it was done. The Hawaiian proposition is to acquire or annex foreign territory as *territory* by joint resolution. As Judge Thurman, when speaking of San Domingo, well said—"there is no clause in
"the Constitution of the United States that provides for the
"*acquisition* of territory by joint resolution of Congress,
"unless it be one single provision, and that is that the Con-
"gress may *admit* new *States* into the Union. It was upon
"the argument that there was no limitation upon *that* power
"to admit new *States* into the Union; that it was not limited
"to territory belonging to the United States, but that terri-
"tory belonging to a foreign power might be admitted into
"the Union as *a State;* it was upon that doctrine that the
"resolution in the case of Texas was passed. But *no one has*
"*ever pretended* that you could by joint resolution *annex* ter-
"ritory as *a territory without admitting it as a State.*" (See Cong. Globe, 1st, 43d, pp. 183, 193.)

Speaking at the same time, Senator Davis, of Kentucky, (p. 195), stated that Secretary Calhoun had negotiated by *treaty* for the annexation of Texas and that the Senate had rejected it, and that thereafter a joint resolution was introduced to "annex" Texas as a *State* of the Union, *not* as a *territory*, and that the only power that was relied upon to authorthorize Congress to admit Texas was that single provision of the Constitution which authorizes Congress *to admit States* into this Union.

The legislative and statutory facts in regard to what is *erroneously* termed the "annexation" of Texas—if it is meant thereby to contradistinguish "annexation" from *admitting* her as a *State*, are as follows. During the 1st session of the 28th Congress President Tyler sent in a special message concerning Texas. At the *second* session we find Senator Benton offering the bill and resolves, to which allusion has been made, Mr. Ingersoll offering his resolution from Foreign Affairs in the House. December 23, 1844, Mr. Douglas in the House offered a joint resolution for the *re*-annexation of

Texas, in conformity with *the treaty* of 1803 of the Louisiana Purchase. (Cong. Globe, p. 65.) This went on the ground that Texas was in fact a part of the United States and that she had never belonged to Spain. This resolution was modified by Boyd's (p. 171) and again by Owens (p. 189).

Mr. Weller, of Ohio, on the same day offered joint resolutions to annex Texas as *a territory* (p. 49). At least seven other bills or resolutions were offered. (Jan. 3, 1845, 2d, 28th; Ingersoll's resolutions were taken up; p. 84.)

Weller moved to substitute his own and Mr. Douglas moved to amend Weller's motion by substituting his resolutions, and very considerable debate ensued until January 28, when Mr. Brown's resolution, in form somewhat like that of Mr. Douglas' as amended—was adopted (pp. 192, 193, 194); *all others being rejected.* It was slightly amended in the Senate which the House concurred in and it became a law as it stands. It certainly was not a joint resolution *annexing* Texas as *territory.* In brief, by joint resolution of March 1, 1845, Congress prescribed for Texas *certain conditions*—on compliance with which, she would be admitted into the Union as a *State.* These resolutions may have been (erroneously) called "annexation" resolutions, but they were *conditions* which she was at liberty to reject or accept. She was an independent republic; had achieved her independence after eight years or more of severe fighting. Her State convention met July 4, 1845, to consider the conditions prescreibed in the resolutions and it did not adjourn until August 27, 1845. On the 13th of October following *the people* ratified the constitution proposed by her convention and accepted the conditions, and she was admitted into the Union in December 29, 1845, as a *State.* There was no "annexation" in any sense other than her admission. (5 Stat. at Large, 797—Cong. Globe, 41st, 3d, pp. 195; 9 Stat. at Large, 108.)

Those in favor of the Texas resolutions, which simply looked to the *admission* of Texas as a *State,* grounded themselves upon the clause giving Congress the express power—in so many words, to *admit* new *States* into the Union.

Mr. Choate disclaimed that his speech in executive session in the summer of 1844 favored the "annexation" resolutions. (Cong. Globe, 2d, 28th, p. 304.)

In fact he denied that either Congress or the *treaty*-making power had a right to absorb, acquire or admit *foreign* nations into our Union. He said—"It was not *until* it was "found that the *treaty* of last session *had no chance* of passing "the Senate, no human being, save one—no man, woman or "child in this Union, or out of the Union, wise or foolish,

"drunk or sober, was ever heard to breath one syllable about "this power in the constitution of *admitting* new *States* being "applicable to the admission of *foreign* nations (Texas being "an independent foreign nation), governments or States. "With one exception, till ten months ago no such doctrine "was ever heard of or even entertained. The exception to "which he alluded was the letter of Mr. Macon to Mr. Jeffer- "son which Mr. Jefferson so promptly rebuked that the in- "sinuation was never again repeated till it was found neces- "sary ten months ago by some one—he would not say with "Texas scrip in his pocket, but certainly with Texas annexa- "tion very much at heart, brought it forward into new life, "and urged it as the only proper mode of exercising an ex- "press grant of the Constitution." He insisted that the joint resolution was gotten up—"not from any well-founded faith "in its orthodoxy, but for the mere purpose of carrying a "measure *by a bare majority* of Congress *that could not be car- "ried by a two-thirds majority of the Senate* in accordance with "*the treaty*-making power." (Cong. Globe, 2d, 28th, p. 304.)

Senator Merrick also made a very able speech against the resolutions, taking the ground that we could *acquire* territory (unless by conquest or discovery) solely under the *treaty*-making power and he cited several precedents. (See p. 279, 280 Mr. Rives spoke to the same effect (p. 292).

Something has been said about Henry Clay's position on this or a kindred question in 1820. The facts are these:

On the 3d of April, 1820, at the 1st session of the 16th Congress, Mr. Clay offered two resolutions which had a bearing on the power of Congress—as against the *treaty* making power. (Annals 1st, 16th, p. 1719.) His pertinent resolution was to the effect that Congress has the power to *alienate* or to dispose of the territory of the United States and that no *treaty alienating* or disposing of our territory is valid without the consent of Congress.

It related to the proposition in a treaty with Spain to give up Texas for Florida, etc. Mr. Lowndes, p. 1736 7, took the ground that the House—under some circumstances, might have *some* power in regard to treaties *for the cession or acquisition* of territory, but whatever that power was, the just view of the Constitution was that it was a *restraining* and not a *directing* power. Any other idea he said might entirely destroy the *treaty*-making power.

It will be observed from the Constitution that there is material reason why Congress might have some power over the *alienation* of territory and *not* have any power whatever over its *acquisition* by annexation—as against the *treaty*-making power,

because we have an *express* grant of power to Congress—"to *dispose* of the territory of the United States." (But see Rhea's interpretation of this, p 1777.)

In fact it was upon *that* ground that the Texas Resolution passed in 1845, as stated by Judge Thurman.

The Clay resolution seems never to have been voted upon, but the fact that Texas was alienated or disposed of for Florida by the *treaty*-making power in 1819, and the precedents, show that the *disposal* and the *acquisition* of territory as territory must be by *treaty*. There was no argument advanced on the Clay resolution, denying to the *treaty*-making power the *sole* power to *acquire* or annex territory. The struggle in 1845 in the House—amending the resolutions plainly shows that the final struggle was to get some resolution perfected in such form that it would command a majority vote, and the friends of the measure fell back on the Brown resolution, which was simply one indicating to Texas what she must do and on what conditions Congress would *admit her as a State*. In *that* form the resolution passed 120 to 98, and in the Senate 27 to 25.

The New York *Sun* says that—"under Thomas Jefferson, "the Father of Democracy as it once was, our country an- "nexed Louisiana and the great Northwest; that under James "Monroe we annexed Florida; that under John Tyler we "annexed Texas; that under James K. Polk we annexed Cal- "ifornia and New Mexico, while under Andrew Johnson we 'annexed Alaska."

That journal is not treating the subject-matter with the candor that usually marks its course. Louisiana was annexed by *treaty;* so was Florida; Texas was *admitted* as a *State* and there was *no* "annexation" independently of that action. California was acquired by war, and Alaska by *treaty*.

The joint resolution of March 1, 1845 (see 5 Stat. at Large, p. 797) provided—"That Congress *doth consent* that the terri- "tory properly included within and rightfully belonging to "the *republic* of Texas, *may be erected into a State* to be called "the State of Texas, *with a republican form of government,* to be "adopted *by the people* of said republic, by deputies in con- "vention assembled, with the consent of the existing govern- "ment, in order that *the same* (*i e.*, the *State*) may be *admitted* "as one of the *States* of this Union."

Then followed certain *conditions*, and then it was provided that if the President should deem it most advisable, instead of submitting the aforesaid resolutions to Texas, then that a *State* to be formed out of Texas be admitted as soon as terms, etc., could be agreed upon. By joint resolution of December 29, 1845, Texas was *admitted* as a *State*. (9 Stat. at Large, p. 108.)

And from that resolution it clearly appears that Texas had proceeded to act under the *first* proposition of the resolution of March 1, 1845. It is improper therefore to speak of Texas as having been "annexed"—in any sense other than that of her *admission* as one of the *States* of the Union. The proposition in regard to Hawaii is to *acquire* or annex foreign territory *as territory* by joint resolution! A very different matter.

WHAT WOULD WE GET UNDER "ANNEXATION"?

Individuals seldom enter into contracts without seriously considering *what the mutual advantage will probably be.* Neither should nations make "annexation" treaties without *counting the cost* and relative advantages. In the case of the Hawaiian treaty the latter would clearly seem to be all on one side—in favor of the Hawaiian "Sugar Trust," for there is little or nothing but sugar in the Islands worthy of consideration. To accept a cession of the Islands upon a mere *sentiment* would be unworthy of an American Congress. The air may be very conducive to indolence and some of the soil very fertile to conceive sugar profits, but the United States can hardly afford to take upon themselves burdens, *give away* $8,000,000 of revenue yearly, and extend support and maintenance for dry air, lava-beds, individual "gear" and—poi. We have the trade of the islands now—as we always have had and will continue to have. The lines of commerce are selfish and they insure us the small Island trade. We can readily protect our Pacific Ocean commerce from Pearl River harbor. In fact it was never in peril or we would long since have dredged out the entrance to that harbor for the entry of war and other vessels.

What then does this Hawaiian treaty propose to give us for "annexation"?

1. Hawaii proposes to cede all her "*sovereignty*" in and over the Islands. Sovereignty is not always desirable. It may entail *debt* and responsibility out of all proportion with the real value of that commodity, and in this case our taxpayers will be almost certain to wake up to that fact when we are asked to support and maintain the Islands and when cable and naval contracts and forts and fortifications get under way.

2. Hawaii proposes to cede and transfer to the United States all the public, government and crown lands, public buildings, harbors, etc. That *sounds* well. But there is a string to all that. *Our* land laws are *not* to apply; *special* laws are to govern their disposition, so that we would not advise any one to get the Hawaiian land fever, and for

additional reasons to be stated. Nor is the revenue from these remnants of lands to go into *our* treasury; it is to go into the Hawaiian treasury! Let nobody assume that large tracts of land will be open to settlement under "annexation"! To understand the land situation in Hawaiian lands, it isn't necessary to go back farther than the year 1847, when there was a fairly well-defined division of all the lands in the Hawaiian Islands.

In pursuance of that division the king, in 1848, set over the *larger* part of his lands to the "government" and reserved the residue for himself, his heirs and successors. This was ratified by an act.

In 1850 the chiefs set over a one-third of their lands to the government to get full title to the remainder of their share under the division agreed on.

The king dealt with his lands as his *private* property, selling, leasing and mortgaging the same, and conveying good titles.

The Supreme Court of Hawaii held, however, that the inheritance to the "crown" or king's lands was limited to his *successors* to the throne, but that he could regulate and *dispose* of the same as his private property. This was so until 1884. In that year, by act of the legislature, the "crown" lands were made *inalienable*, nor leasable beyond a period of thirty years.

We cannot confiscate lands, except for treason, and the queen and her successors are not guilty of treason. So that a very serious question would probably arise; the United States might be *honorably* called upon to pay handsomely for them to obtain a good title. About 94,000 acres only of crown lands are now available for lease, of which 47,000 only are of much account. The sugar planters *have all the rest!* (See House Ex. Doc. 1, Part 1, pp. 603, 667, 553.)

Most of the "government" land consists of *mere remnants* left here and there, worthless and unsalable. (See same Doc., 603.)

So that the treaty pretense of a cession of lands, aside from "sovereignty" over them, is as thin as air, independently of the fact that any revenues derivable from them are to go into the Hawaiian, and *not* into *our* treasury.

3. And then it is proposed by this crafty Hawaiian "Sugar Trust" that their "free and easy" tariff laws *shall remain* until we enact other legislation! That will allow their sugar planters to *get in their goods cheap;* while "annexation" will at once compel the United States to shoulder their $4,000,000 debt and interest, maintain and support the government and protect the Islands, *what do we get?*

Nothing but debt, responsibility and sovereignty! And worse than all, "annexation" would *withdraw from us forever our power* to levy any duty on Hawaiian sugar and rice, worth—as has been stated, at least $8,000,000 a year! This tender of these Hawaiian Islands reminds us of the division of the turkey and crow which the white man proposed to the Indian. The Hawaiian planters say to the United States, "You take "the crow and I'll take the turkey, *or* I'll take the turkey and "you take the crow!" There is nothing in "annexation" for the United States but *crow.*

When the Hawaiian oligarchy began to discover why and how our general laws might affect the Islands, and the "sugar trust" in Honolulu, it set its literary bureau at work to mould sentiment in the United States and make it ready for *special* legislation in favor of the Hawaiian planters!

One of the serious questions to arise will be that which concerns the commerce between Hawaii and the United States.

A material part of this traffic is at present conducted by means of British steamers plying between Hong-Kong, Yokohama, touching at Honolulu and San Francisco. Under existing United States laws such traffic would be cut off by the annexation of these islands. Trade between Honolulu and the coast will have become American coasting trade, and must be conducted exclusively by American vessels. Neither freight nor passengers could then be carried by British steamers. It is very doubtful whether those ships would call at Honolulu if deprived of the large eastern half of their business—that between Honolulu and San Francisco.

The result is that these crafty Hawaiians are likely to ask our Congress for some *specific* legislation to permit traffic to be continued for a time upon foreign steamships between Yokohama and Honolulu. And they may even suggest that it would be wise to go farther than this and to entirely exempt Hawaii from the application of the United States coasting laws.

In other words, this oligarchy is simply driving a bargain with the United States in which all the *burdens* shall be thrown *upon our taxpayers,* while the Hawaiian "sugar trust" is to be allowed to reap *the benefits!*

"Kamehameha," who has long been the literary support of the Hawaiian "sugar trust" in Honolulu, admits in a letter to the Washington organ of the Hawaiian "sugar trust" (August 10, 1897), that the islands contain 1,000 lepers; that there were 10,000 persons entitled to the elective franchise at the last election, but that only 2,500 voted be-

cause of the application of the disqualifying *test* oath, and he likewise confessed that "a majority of the voters" *are hostile to the oligarchy;* that two-fifths or 8,835 of the total number of laborers on the sugar plantations are "contract," of which number 6,602 were Japanese. And he likewise conceded that —"annexation would call for fortifications at Honolulu," but he thought—"a *very few* millions would suffice"!

The Hawaiian Islands have managed, under our continuous policy that guaranteed their *independence*, not only to maintain that *independence* for half a century, but they have got along without forts and fortifications—which is the highest type of civilization, and we have kept at home our "very few" millions that would otherwise have been expended.

An effort has been made to "pad" the figures of exports and imports to and from Hawaii, to make up a case of important trade relations. Outside of the San Francisco Board of Trade there isn't a city in the United States that feels conscious of any commercial advantage from Hawaii; the trade is too small. Consul Ellis, in 1896, in House Doc. 323, 54th, 2d, gives Hawaiian exports and imports, but his figures and tables fail to show how much of the exports *to* Hawaii *from* the United States are *domestic*. A comparison of his figures with the *domestic* exports to the Island found in House Doc. 426, 54th, 1st, plainly indicates that in 1895 nearly 36 per cent of the imports into Hawaii—as given by Mr. Ellis, *were foreign!* As our (domestic) exports to Hawaii are carefully given *by items* in House Doc. 426, they can hardly be controverted. Hence, in considering the figures and percentages of *imports* into Hawaii from Mr. Ellis, which we will present, due allowance must be made for this fact, that from 35 to 40 per cent *are foreign*. From his report we take these figures—

1894, Exports from Hawaii $9,140,794, of which *sugar* $8,473,609
" Imports into Hawaii, $5,713,181.
1895, Exports from Hawaii, $8,474,138, of which *sugar* 7,975,590
" Imports into Hawaii, $5,714,617.
1896, Exports from Hawaii, $15,515,530, of which *sugar* 14,932,172
" Imports into Hawaii, $7,164,561.

Without annexation the United States got 99 per cent of Hawaii's exports in 1895 and 1896, and 98½ per cent in 1897. *They have nowhere else to go*—advantageously. So there is no danger of losing Hawaii's petty trade, for outside of *sugar* it is of no account.

The average *imports* into the Islands from the United States during 1894–1895 was 77½ per cent of the total, our Pacific ports shipping 72 of the 77½, which accounts for Hawaiian sentiment in San Francisco, but, as we have cautioned our readers, from 35 to 40 per cent of the *total* import trade into Hawaii was *foreign* products although shipped through the United States. And while the above figures would *seem* to show a material gain, the fact is that in 1889 and 1890 Hawaii's exports averaged only $2,000,000 less than in 1896, and her imports were even larger in 1891 than in 1896. (See House Doc., 323, p. 1014, 54th, 2d.)

From the same document (p. 1011) we find this interesting condition of things existing—

1896, Imports into Hawaii *paying duty*.....$1,741,385
" " " " *free* of duty..... 3,225,659
" " " " free by civil code..... 1,845,096

Which shows that nearly 75 per cent of Hawaii's imports are free of duty! There are some features in this policy which tend—in connection with other things, to lighten up this whole "annexation" affair, showing it to be a dollar-and-cent scheme. The "sugar trust" in Hawaii—through its legislature recently raised the duty on Japanese saki from 15 to 60 cents a gallon, placing that burden on the poorer or laboring classes, and then to "curry favor" with the San Francisco Board of Trade they let in "free" of duty California wines—drunk by the planters! So too the sugar planters get their coal and coke, their fertilizers, bone-meal and most of their machinery in "free" of duty. With such tactics and with "free" sugar to the United States, it is no wonder that the Hawaiian "Sugar Trust" wants annexation! Nor is it any wonder that a few men in San Francisco favor the scheme.

A prominent writer favorable to "annexation" indulged last April in a backslap at Senator Frye, and in doing so unconsciously exposed one reason perhaps why the proposed Pearl Harbor appropriation did not meet with the success that it may have been promised.

The explanation is easy. If Congress had made that appropriation, those who have property to be made "valuable" by its expenditure, might grow cold on annexation; hence the delay has operated as a stroke of policy. The idea that the owners of this property will "do it themselves" is like one of "Kamehameha's" theories. The writer said—

"It appears that a little appropriation of $100,000 had some "prospect of being made by Congress to open the bar at Pearl "Harbor. Senator Frye, who proposed it, is one of Hawaii's

"best friends and has his eyes *more opened* to Pacific needs "than most of his colleagues. But even he seems to need "more light on the subject. For the good Senator's benefit, "and to help him push Pearl Harbor matters rather faster, I "will mention that the owners of property in that vicinity "have grown tired after thirteen years' waiting for the United "States to open the harbor *and make their property valuable.* "They have begun to perceive the worth of the old maxim, "'If you want anything done, do it yourself.' There are "several hundred thousand dollars' worth of lands adjacent "to the locks of Pearl Harbor and between them, whose value "will be *immensely enhanced* whenever such a noble seaport is "opened in their midst. An important movement is rapidly "taking shape among those property owners to form a stock "company and open the bar themselves, as well as to make "other needed improvements. It is only strange that they "have not moved sooner—due perhaps to tropical sluggish-"ness.

"There have *lately* been some heavy corporations launched "into most successful operation in that section, which no "doubt have served to open the eyes of the gentlemen al-"luded to."

A little information—of the right kind, often serves to reveal a great "deal." In making their contest for annexation we hope the friends of the scheme will insist on having a plat of these lands printed for the use of Congress, with a list of the owners thereof, and whether the same are of record in Honolulu and from whom obtained and when, and the price paid! It can do no harm, and there may be American capitalists who will want to invest. If we are to annex and pay the Hawaiian debt, some of our taxpayers should be given a chance in this Hawaiian jack-pot.

The planters know the moment Hawaii is annexed, the Islands become a part of the United States, and that they *then* will *forever* have the advantage of "free" sugar. That will be a free gift by the United States of $8,000,000 per annum! On the other hand, Article 3 of the treaty of annexation provides that—"*until* legislation shall be enacted extending the "United States tariff laws and regulations to the Hawaiian "Islands, the *existing* customs relations" shall apply! That means that over *five* millions of imports into Hawaii will continue to be "free," only $1,741,385 paying duty—a very fine clause for the sugar planters, especially as our taxpayers will need to *at once* commence to pay the debt and help support the Hawaiian Islands, while throwing away or releasing about $8,000,000 of needed revenue on sugar every year! If our

people had time to understand this matter they would never sanction it!

Our taxpayers will *bear the expense* of governing and protecting the Islands, and the planters, with free sugar, Japanese "contract" labor and "free trade," will manage to get the chestnut. It is a gigantic scheme of robbery and spoliation, artfully cloaked by diluted *sentiment* and specious considerations, best calculated to appeal to the commercial cupidity, aggressive spirit and false pride of the American people! Let us undeceive ourselves in time! Secretary Sherman admits that the "annexation" treaty imposes upon our Congress the determination—"of all questions affecting the *form* "of government of the annexed territory, the citizenship and "elective franchise of its inhabitants and *the manner* in which "the laws of the United States *are to be extended* to the "Islands."

In all this it is easy to perceive agitation and trouble—for the United States, and perhaps entangling alliances, as well as probable loss of trade with Japan. It is needless to describe how there is in some of our Southern States, on the part of the whites, a constant struggle for mastery, carried on under the plea of necessity, by means which ill comport with the principles of a republican form of government.

All these conditions of difficulty appear in Hawaii in a far more dangerous proportion. Its climate is tropical, and political ascendency depends on force because its white people are preponderantly Japanese, Chinese and natives.

Some one will argue that the fifth article of the pending treaty prohibits the Chinese from entering the United States from the Hawaiian Islands. The moment the Islands are annexed, they become part and parcel of the United States, and may we enact legislation—as against China, prohibiting her subjects lawfully within a State or a Territory going into or from one State or Territory of the United States to another? That would be "exceptional" legislation and of questionable constitutionality. Hawaii—as an independent government, may pretend to agree with the United States to this restriction, but what will be *its force* when once Hawaii becomes a Territory or State within the United States? Can Congress prevent a subject of a foreign nation—*lawfully* within our borders going from one State or Territory of the Union into another? What international complication or trade feeling might not an enforcement of such a provision engender?

Will not the same forces and influences in Congress that are now pushing this "annexation" scheme through, feel

morally bound—if it is accomplished, to extend *the advantages* contained in the treaty provisions for an *indefinite time*—at the expense of our taxpayers? Can we safely look to those influences for fair and just legislation or for a timely application of our revenue or customs laws to the Islands? What strife do these things not promise, and all for what? With a contest precipitated over these matters in Congress, *how long* will the Hawaiian sugar planters be able to hold the advantage of "free trade" practically? And how long will the people of the United States be asked—under one pretense or another, to bear the burdens that Hawaiian "annexation" will impose upon them? It isn't enough for us to assume the Hawaiian debt and give up $8,000,000 of revenue on sugar, annually, but other burdens are to be added, and serious troubles are promised!

Great Britain, Germany and the United States became interested in the *independence* or neutrality of Samoa in 1889, just as our policy has been to preserve the neutrality or *independence* of Hawaii to which England and France agreed in 1843 and to which we assented. Why should the United States *risk* trade or foreign entanglements with Japan or any other nation over this Hawaiian "sugar trust" *scheme* of annexation, when the *independence* of the Islands is assured, and when there is not only no necessity but many disadvantages in deserting our policy of "benevolent neutrality." Our harbor of Pagopago in Samoa is—"a deep land-locked basin "of easy approach and perfectly secure anchorage," just as that of Pearl River harbor in Oahu could be made at small expense. That is all that is either needful, advantageous or necessary. With those harbors the United States is fully prepared to meet all encroachments, to resist attack, to protect our commerce and the neutrality of the Isiands. Let it rest at that as it has for half a century, safe and secure!

As if time hung heavily on his hands, and perhaps looking forward to a reappointment, Mr. Procter, of the Civil Service "Trust," has essayed to build up—in his mind's eye, an enormous Pacific commerce, and thereupon he asks how we are to protect it—without Hawaii! We have long sent 80 per cent of our commerce over the Atlantic to Europe *without an Island in that ocean to protect it,* and we have only 5 per cent now going westward over the Pacific! We hope the President will note the fact that Mr. Procter is in line with his policy on Hawaii. It may become important—to Mr. Procter.

The conservative sentiment of this country sees great immediate danger in opening the door of "annexation." The ingo sentiment may be seeking a new policy; it may venture

far enough to endanger the Monroe doctrine and bring down upon this country serious trouble and enormous expense. That the "annexation" microbe is ravaging the body politic is evident from the following dispatch—

"Boston, Nov. 9.—Senator Henry Cabot Lodge, in a "speech last night, openly expressed his *hostility to the scheme "to annex Cuba* to the United States, but announced his "intention of supporting the annexation of Hawaii.

"Senator Lodge strongly advocated *buying* and annexing "*the Danish West Indies.*"

Poor Cuba! An island whose independence would be of more value than a thousand Hawaiis! An island rich in resources, lying in the pathway of our Southern commerce. If the colonial policy is to be foisted upon the United States, it ought to be signalized *with some better effort than Hawaii.*

During the discussion of the Wilson tariff bill in 1894, we find Senator Morgan saying this of Hawaii and of annexation—

"If I were an Hawaiian *I never would claim anexation* to the "United States—*never!* I would make Hawaii the Switzer- "land in the Pacific Ocean that Switzerland is in Europe, "*protected by all the nations* of the earth, *perfectly able to take "care of herself under all circumstances and the heaviest popula- "tion that can go there*"—

Was the Senator indulging in fancy, then, or is he dreaming now?

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